

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:08CR28 RWS
)	
WILLIAM T. RANSOM,)	
)	
Defendant.)	

ORDER

This case comes before me on Defendant William T. Ransom's Objection to Magistrate Judge's Memorandum, Report and Recommendation.

Defendant's Motion To Suppress Evidence and Statements were referred to United States Magistrate Judge Thomas C. Mummert pursuant to 28 U.S.C. § 636(b). Judge Mummert conducted an evidentiary hearing on April 29, 2008.

Based on my *de novo* review of Judge Mummert's Report and Recommendation, the evidentiary hearing and the relevant case law, I concur with Judge Mummert's Report and Recommendation.

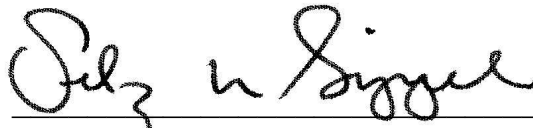
Specifically, I find that the affidavit and search warrant application contained sufficient evidence to provide probable cause. Defendant has not proven by a preponderance of the evidence that any misidentification in the search warrant was false or showed reckless disregard for whether it was true or false.

The officer did not violate defendant's Fourth Amendment rights when they entered and searched the residence. Additionally, defendant's post arrest statements after he was provided the Miranda waiver are admissible.

Accordingly,

IT IS HEREBY ORDERED that United States Magistrate Judge Thomas C. Mummert's Report and Recommendation, filed May 8, 2008 [#33] is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

IT IS FURTHER ORDERED that Defendant William T. Ransom's Motions to Suppress Evidence and Statements [#29] are DENIED.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 29th day of May, 2008.